



09-20-07

104610-55275 (22009)

1626-6
JPW**PATENT****THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re the Patent Application of: :
Martin Eberle, et al. : Art Unit : 1626
Serial No. : 10/557,539 : Examiner : Laura L. Stockton
Filed : November 21, 2005 :
Title : Furazanobenzimidazoles :

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with 37 C.F.R. 1.97-1.99, applicants respectfully request that the references listed on the completed form PTO-1449 be made of record in the above-identified application. A copy of the International Search Report dated September 20, 2004 and a copy of the European Search Report dated October 13, 2003 as well as the citations therein are enclosed. It is noted that WO 03/066629 is equivalent to US Publication No.: 2004/0034037. However, WO 03/066629 has an earlier International Publication date of August 14, 2003. We are enclosing the cover page of this International Publication No.: WO 03 066629. Copies of the U.S. Patent are not provided herewith.

Consideration of this Information Disclosure Statement is respectfully requested, since the information provided herein may be material to the patentability of the subject application as defined in 37 C.F.R. §1.56. The submission of references with this Information Disclosure Statement should not be construed by the Examiner that a comprehensive search through the prior art was conducted; it is requested that the Examiner make such a comprehensive search.

The above citations do not constitute an admission that the references are relevant or material to the claims; they are cited only as constituting the closest art of which applicant is aware. As such, it is respectfully submitted that the Claims presented for examination define patentable subject matter thereover. Favorable consideration on the merits is respectfully requested.

Correspondence and Fees

The information disclosure statement is being submitted after the mailing date of the first Office Action on the merits. Consequently, please charge our deposit account in the amount of \$180.00 for this submission. However, should this be in

09/21/2007 TNGUYEN2 00000044 033839 10557539

01 FC:1806

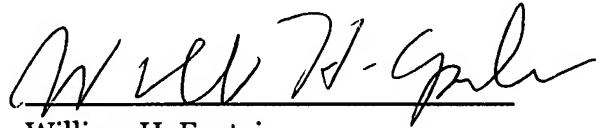
180.00 DA

#1228090 v1
104610-55275

error, authorization is hereby given to charge our deposit account no. 03-3839 for any underpayment or to credit any overpayments.

Please address all correspondence to Intellectual Property Docket Administrator, Gibbons P.C., One Gateway Center, Newark, NJ 07102-5310. Telephone calls should be made to William H. Epstein at (973) 596-4607 and fax communications should be sent directly to him at (973) 639-6397.

Thank you for your consideration.

A handwritten signature in black ink, appearing to read "William H. Epstein", written over a horizontal line.

William H. Epstein
Attorney for Applicant
Registration No. 20,008

Gibbons P.C.
One Gateway Center
Newark, New Jersey 07102-5310
(973) 596-4500



PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**TRANSMITTAL
FORM**

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/557,539
Filing Date	November 21, 2005
First Named Inventor	Martin Eberle
Art Unit	1626
Examiner Name	Laura L. Stockton
Attorney Docket Number	104610-55275

ENCLOSURES (Check all that apply)

- | | | |
|---|---|---|
| <input type="checkbox"/> Fee Transmittal Form | <input type="checkbox"/> Drawing(s) | <input type="checkbox"/> After Allowance Communication to TC |
| <input type="checkbox"/> Fee Attached | <input type="checkbox"/> Licensing-related Papers | <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences |
| <input type="checkbox"/> Amendment/Reply | <input type="checkbox"/> Petition | <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) |
| <input type="checkbox"/> After Final | <input type="checkbox"/> Petition to Convert to a Provisional Application | <input type="checkbox"/> Proprietary Information |
| <input type="checkbox"/> Affidavits/declaration(s) | <input type="checkbox"/> Power of Attorney, Revocation | <input type="checkbox"/> Status Letter |
| <input type="checkbox"/> Extension of Time Request | <input type="checkbox"/> Change of Correspondence Address | <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): |
| <input type="checkbox"/> Express Abandonment Request | <input type="checkbox"/> Terminal Disclaimer | 1) PTO 1449 |
| <input checked="" type="checkbox"/> Information Disclosure Statement | <input type="checkbox"/> Request for Refund | 2) Copy of European Search Report with Citations |
| <input type="checkbox"/> Certified Copy of Priority Document(s) | <input type="checkbox"/> CD, Number of CD(s) _____ | 3) Copy of International Search Report |
| <input type="checkbox"/> Reply to Missing Parts/Incomplete Application | <input type="checkbox"/> Landscape Table on CD | 4) Return Receipt Postcard |
| <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53 | Remarks | |

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Gibbons P.C.		
Signature			
Printed name	William H. Epstein		
Date	Sept 19, 2007	Reg. No.	20,008

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name		Date	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.